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6 DISTRICT JUDGE BENJAMIN H. SETTLE  
7 MAGISTRATE JUDGE DAVID W. CHRISTEL

8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 MATTHEW R. RUTH,

11 Plaintiff,

12 v.

13 PATRICK GLEBE, et al.

14 Defendants.

15 NO. 2:14-cv-01388-BHS-DWC

16 DECLARATION OF JOHN THOMPSON  
17 IN SUPPORT OF DEFENDANT'S  
18 RESPONSE TO PLAINTIFF'S MOTION  
19 FOR EXTENSION OF TIME

20 I, JOHN THOMPSON, make the following declaration:

21 1. I have knowledge of the facts herein, am over eighteen years of age, and am  
22 competent to testify to such facts. I am a party to this lawsuit.

23 2. I am currently employed by the Washington Department of Corrections  
24 ("DOC") as a Law Librarian at Stafford Creek Corrections Center ("SCCC"). My job duties as  
25 Law Librarian include e-filing documents with the U.S. District Courts in Washington State. I  
26 have worked for DOC since 2006, and have held my current position since 2006.

27 3. According to DOC records, offender Matthew Ruth, DOC #879492, has been  
28 housed at SCCC since January 31, 2012.

29 4. On March 16, 2016, I received an e-mail from William Crane (CCO) informing  
30 me that Mr. Ruth was requesting to e-file in one of his court cases. I stopped by Mr. Ruth's cell

1 to pick up his papers for e-file on March 18, 2016, but he was not ready. Mr. Ruth stated that  
2 his e-filing deadlines were on the 21st and 25th of March. He showed me paperwork which  
3 allowed me to verify that he had a deadline on March 25th. Mr. Ruth had not filled out the  
4 required cover sheets and he did not have all of his paperwork gathered and ready to go.

5 I asked Mr. Ruth why he didn't have his paperwork properly prepared and he  
6 said IMU staff would not make copies of it for him because I had told them he did not have  
7 any deadlines. That is true. I informed IMU staff that while Ruth had active cases I could not  
8 verify any court deadlines. Mr. Ruth claimed that the IMU staff told him they didn't have any  
9 coversheets. This is not true; I had provided a large bundle of cover sheets to the IMU staff  
10 approximately one month ago. There had been only two other e-filing requests from the IMU  
11 since that time, so there would have been cover sheets still available.

12 6. William Crane (CCO) provided Mr. Ruth with cover sheets and took his legal to  
13 the law library on March 22nd to be e-filed. Salina Brown, SCCC LLO, electronically filed  
14 Mr. Ruth's pleadings on March 22nd. Mr. Crane also provided Mr. Ruth with cover sheets for  
15 the pleadings that he needed to e-file on March 24th.

16 7. I personally e-filed Mr. Ruth's pleadings on March 24th.

17 I certify under penalty of perjury under the laws of the state of Washington that the  
18 foregoing is true and correct.

19 EXECUTED this 31 day of March, 2016, at Aberdeen, Washington.

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21   
22 JOHN THOMPSON  
23 LAW LIBRARIAN  
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## **CERTIFICATE OF SERVICE**

I hereby certify that I caused the foregoing Declaration of John Thompson in Support of Defendant's Response to Plaintiff's Motion for Extension of Time to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

MATTHEW R RUTH DOC #879492  
STAFFORD CREEK CORRECTIONS CENTER  
191 CONSTANTINE WAY  
ABERDEEN WA 98520  
Email: docscchinmatefederal@DOC1.WA.GOV

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED this 1<sup>st</sup> day of April, 2016, at Spokane, Washington.

PATTY WILLOUGHBY  
Legal Assistant III  
Corrections Division  
1116 West Riverside Avenue, Suite 100  
Spokane, WA 99201-1106  
(509) 456-3123  
PattyW@atg.wa.gov